

Ballard Spahr LLP

210 Lake Drive East, Suite 200
Cherry Hill, NJ 08002-1163
TEL 856.761.3400
FAX 856.761.1020
www.ballardspahr.com

Eugene R. Licker
Tel: 646.346.8074
Fax: 212.223.1942
LickerE@ballardspahr.com

August 10, 2018

By Facsimile

Via E-mail [REDACTED]

Hon. P. Kevin Castel
United States District Judge
United States District Court
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: U.S. v. Bergstein

Dear Judge Castel:

We represent Weston Capital Partners Master Fund II, Ltd. ("PII"), a victim of Mr. Bergstein's defalcations and a subpoenaed party both for Mr. Bergstein's trial and the subsequent Fatico hearing. We have previously provided submissions regarding our losses and the appropriate amount of restitution. Subsumed within those numbers are the costs PII incurred in assisting with the prosecution of Mr. Bergstein. In the event it is of assistance to the Court, we have segregated out the amounts we believe are cognizable under the MVRA, as interpreted by the Supreme Court in the Lagos case. The attached chart identifies those costs. The costs all consist of attorney's fees. Should the Court desire, we can provide redacted copies of the underlying Ballard Spahr statements.

Respectfully submitted,



Eugene R. Licker

Attachment

cc: Edward Imperatore
Anthony Bisconti

PII Expenditures Assisting the Government in US v. Bergstein

Date	Atty	Description	% total daily billing	Allocated Cost
11/7/2017	EL*	Aff. Re restitution losses	0.263158	\$960.00
11/9/2017	EL	Aff. Re restitution losses	0.263158	\$960.00
11/27/2017	EL	Aff. Re restitution losses	100	\$2,880.00
11/29/2017	EL	Aff. Re restitution losses	100	\$2,880.00
11/30/2018	EL	Aff. Re restitution losses	100	\$3,456.00
12/26/2017	EL	trial subpoena	0.714286	\$1,920.00
12/27/2017	EL	trial subpoena	0.976744	\$4,032.00
1/3/2018	EL	trial subpoena	0.357143	\$975.00
1/9/2018	EL	trial subpoena	100	\$4,875.00
1/10/2018	EL	trial subpoena	0.769231	\$2,925.00
1/11/2018	EL	witnesses for trial	0.236842	\$877.50
1/16/2018	EL	trial subpoena	0.12963	\$682.50
1/20/2018	EL	trial subpoena	100	\$3,900.00
1/21/2018	EL	trial subpoena	100	\$3,900.00
1/24/2018	EL	produce docs	0.516129	\$1,560.00
1/25/2018	EL	trial subpoena	100	\$780.00
1/26/2018	EL	produce docs	100	\$2,925.00
1/29/2018	EL	trial subpoena	0.930233	\$3,900.00
2/13/2018	EL	attend trial	3	\$2,925.00
6/6/2018	EL	restitution submission	100	\$975.00
6/8/2018	EL	restitution submission	100	\$2,437.50
6/15/2018	EL	subpoena in <u>Fatico</u> hearing	100	\$975.00
6/19/2018	EL	subpoena in <u>Fatico</u> hearing	100	\$2,632.50
6/20/2018	EL	restitution submission	100	\$2,340.00
6/21/2018	EL	subpoena in Fatico hearing	100	\$975.00
6/22/2018	EL	subpoena in Fatico hearing	100	\$2,437.50
6/25/2018	EL	<u>Fatico</u> ; docs to government	100	\$3,412.50
6/26/2018	EL	Fatico; docs to government	100	\$2,925.00
6/27/2018	EL	sentencing	100	\$2,437.50
7/10/2018	EL	restitution	100	\$487.50
TOTAL				\$69,348.00

*Eugene Licker